

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LISA BROWN, M.D.,

Plaintiff,

v.

HAMOT MEDICAL CENTER,

Defendant.

Erie Division

Civil Action No.

05-32 E

COMPLAINT

This is an action for employment discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq. ("Title VII"), the Pennsylvania Human Relations Act, 43 Pa. Cons. Stat. Ann. §§ 951-63 ("PHRA"), and for breach of contract.

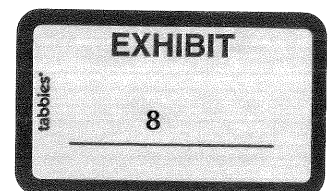
The Parties

1. Plaintiff Lisa Brown, M.D., is an adult citizen of Pennsylvania who resides in this district.

2. Hamot Medical Center is a non-stock, non-profit corporation organized under the laws of this Commonwealth, engaged in establishing and operating hospitals and health care units. Its principal place of business is at 201 State Street, Erie, Pennsylvania, 16550.

Jurisdiction and Venue

3. This court properly exercises jurisdiction over the subject matter of this action, which arises under federal law, based on 28 U.S.C. § 1331. Jurisdiction over the supplemental state law claims is invoked pursuant to 28 U.S.C. § 1367. Venue is



proper in this district under 28 U.S.C. § 1391(b)(1) and (2) because a substantial part of the acts giving rise to plaintiff's claims occurred in this district, and because Hamot resides in this district.

Factual Background

4. Among its various activities, Hamot sponsors graduate medical education. It has a five year Orthopaedic Residency Program ("the Program") in which it educates and trains resident physicians in the care and management of injuries and diseases of the musculoskeletal system, and trains resident physicians in the nonsurgical and surgical skills necessary to provide proper orthopedic care. Terms and conditions of Hamot's employment and training of residents are governed by a series of one-year contracts that are typically renewed throughout the course of the residency. Hamot policy is that all residents are expected to complete the Program.

5. John D. Lubahn, M.D., is the director of Hamot's Orthopaedic Residency Program.

6. From July 2001 to June 2004, through three years of the five year Program, Brown was employed as an orthopedic resident for Hamot. As an orthopedic resident, Brown was required to fulfill the educational requirements of the Program, obtain a full and unrestricted license to practice medicine in the Commonwealth, and abide by all of Hamot's policies.

7. Brown was the only female resident in the Program. Over the last fifteen years, only two other women have been admitted to the Program. Only one woman has ever completed the Program.